



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB2854

Introduced 2/22/2011, by Rep. Jim Watson

SYNOPSIS AS INTRODUCED:

10 ILCS 5/7-10	from Ch. 46, par. 7-10
10 ILCS 5/7-12	from Ch. 46, par. 7-12
10 ILCS 5/10-4	from Ch. 46, par. 10-4
10 ILCS 5/10-6.1	from Ch. 46, par. 10-6.1

Amends the Election Code. Provides that, in lieu of filing a petition for nomination, a candidate may pay a filing fee to the office of the State or local election official charged with accepting nomination petitions for that office. Provides that the fee shall be equal to 1% of the annual salary of the office for which the candidate is seeking nomination or \$50 if the office is non-salaried.

LRB097 10527 HLH 50854 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning elections.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Election Code is amended by changing
5 Sections 7-10, 7-12, 10-4, and 10-6.1 as follows:

6 (10 ILCS 5/7-10) (from Ch. 46, par. 7-10)

7 Sec. 7-10. Form of petition for nomination. The name of no
8 candidate for nomination, or State central committeeman, or
9 township committeeman, or precinct committeeman, or ward
10 committeeman or candidate for delegate or alternate delegate to
11 national nominating conventions, shall be printed upon the
12 primary ballot unless he or she pays a filing fee as provided
13 in this Section or unless a petition for nomination has been
14 filed in his behalf as provided in this Article in
15 substantially the following form:

16 We, the undersigned, members of and affiliated with the
17 party and qualified primary electors of the party, in
18 the of, in the county of and State of Illinois,
19 do hereby petition that the following named person or persons
20 shall be a candidate or candidates of the party for the
21 nomination for (or in case of committeemen for election to) the
22 office or offices hereinafter specified, to be voted for at the
23 primary election to be held on (insert date).

1	Name	Office	Address
2	John Jones	Governor	Belvidere, Ill.
3	Jane James	Lieutenant Governor	Peoria, Ill.
4	Thomas Smith	Attorney General	Oakland, Ill.

5 Name..... Address.....

6 State of Illinois)

7) ss.

8 County of.....)

9 I,, do hereby certify that I reside at No.
10 street, in the of, county of, and State of
11, that I am 18 years of age or older, that I am a citizen
12 of the United States, and that the signatures on this sheet
13 were signed in my presence, and are genuine, and that to the
14 best of my knowledge and belief the persons so signing were at
15 the time of signing the petitions qualified voters of the
16 party, and that their respective residences are correctly
17 stated, as above set forth.

18

19 Subscribed and sworn to before me on (insert date).

20

21 Each sheet of the petition other than the statement of
22 candidacy and candidate's statement shall be of uniform size
23 and shall contain above the space for signatures an appropriate

1 heading giving the information as to name of candidate or
2 candidates, in whose behalf such petition is signed; the
3 office, the political party represented and place of residence;
4 and the heading of each sheet shall be the same.

5 Such petition shall be signed by qualified primary electors
6 residing in the political division for which the nomination is
7 sought in their own proper persons only and opposite the
8 signature of each signer, his residence address shall be
9 written or printed. The residence address required to be
10 written or printed opposite each qualified primary elector's
11 name shall include the street address or rural route number of
12 the signer, as the case may be, as well as the signer's county,
13 and city, village or town, and state. However the county or
14 city, village or town, and state of residence of the electors
15 may be printed on the petition forms where all of the electors
16 signing the petition reside in the same county or city, village
17 or town, and state. Standard abbreviations may be used in
18 writing the residence address, including street number, if any.
19 At the bottom of each sheet of such petition shall be added a
20 circulator statement signed by a person 18 years of age or
21 older who is a citizen of the United States, stating the street
22 address or rural route number, as the case may be, as well as
23 the county, city, village or town, and state; and certifying
24 that the signatures on that sheet of the petition were signed
25 in his or her presence and certifying that the signatures are
26 genuine; and either (1) indicating the dates on which that

1 sheet was circulated, or (2) indicating the first and last
2 dates on which the sheet was circulated, or (3) certifying that
3 none of the signatures on the sheet were signed more than 90
4 days preceding the last day for the filing of the petition and
5 certifying that to the best of his or her knowledge and belief
6 the persons so signing were at the time of signing the
7 petitions qualified voters of the political party for which a
8 nomination is sought. Such statement shall be sworn to before
9 some officer authorized to administer oaths in this State.

10 No petition sheet shall be circulated more than 90 days
11 preceding the last day provided in Section 7-12 for the filing
12 of such petition.

13 The person circulating the petition, or the candidate on
14 whose behalf the petition is circulated, may strike any
15 signature from the petition, provided that:

16 (1) the person striking the signature shall initial the
17 petition at the place where the signature is struck; and

18 (2) the person striking the signature shall sign a
19 certification listing the page number and line number of
20 each signature struck from the petition. Such
21 certification shall be filed as a part of the petition.

22 Such sheets before being filed shall be neatly fastened
23 together in book form, by placing the sheets in a pile and
24 fastening them together at one edge in a secure and suitable
25 manner, and the sheets shall then be numbered consecutively.
26 The sheets shall not be fastened by pasting them together end

1 to end, so as to form a continuous strip or roll. All petition
2 sheets which are filed with the proper local election
3 officials, election authorities or the State Board of Elections
4 shall be the original sheets which have been signed by the
5 voters and by the circulator thereof, and not photocopies or
6 duplicates of such sheets. Each petition must include as a part
7 thereof, a statement of candidacy for each of the candidates
8 filing, or in whose behalf the petition is filed. This
9 statement shall set out the address of such candidate, the
10 office for which he is a candidate, shall state that the
11 candidate is a qualified primary voter of the party to which
12 the petition relates and is qualified for the office specified
13 (in the case of a candidate for State's Attorney it shall state
14 that the candidate is at the time of filing such statement a
15 licensed attorney-at-law of this State), shall state that he
16 has filed (or will file before the close of the petition filing
17 period) a statement of economic interests as required by the
18 Illinois Governmental Ethics Act, shall request that the
19 candidate's name be placed upon the official ballot, and shall
20 be subscribed and sworn to by such candidate before some
21 officer authorized to take acknowledgment of deeds in the State
22 and shall be in substantially the following form:

23 Statement of Candidacy

24	Name	Address	Office	District	Party
25	John Jones	102 Main St.	Governor	Statewide	Republican
26		Belvidere,			

1 Illinois

2 State of Illinois)

3) ss.

4 County of

5 I,, being first duly sworn, say that I reside at
6 Street in the city (or village) of, in the county of,
7 State of Illinois; that I am a qualified voter therein and am a
8 qualified primary voter of the party; that I am a
9 candidate for nomination (for election in the case of
10 committeeman and delegates and alternate delegates) to the
11 office of to be voted upon at the primary election to be
12 held on (insert date); that I am legally qualified (including
13 being the holder of any license that may be an eligibility
14 requirement for the office I seek the nomination for) to hold
15 such office and that I have filed (or I will file before the
16 close of the petition filing period) a statement of economic
17 interests as required by the Illinois Governmental Ethics Act
18 and I hereby request that my name be printed upon the official
19 primary ballot for nomination for (or election to in the case
20 of committeemen and delegates and alternate delegates) such
21 office.

22 Signed

23 Subscribed and sworn to (or affirmed) before me by,
24 who is to me personally known, on (insert date).

25 Signed

1 (Official Character)

2 (Seal, if officer has one.)

3 The petitions, when filed, shall not be withdrawn or added
4 to, and no signatures shall be revoked except by revocation
5 filed in writing with the State Board of Elections, election
6 authority or local election official with whom the petition is
7 required to be filed, and before the filing of such petition.
8 Whoever forges the name of a signer upon any petition required
9 by this Article is deemed guilty of a forgery and on conviction
10 thereof shall be punished accordingly.

11 A candidate for the offices listed in this Section must
12 obtain the number of signatures specified in this Section on
13 his or her petition for nomination.

14 (a) Statewide office or delegate to a national nominating
15 convention. If a candidate seeks to run for statewide office or
16 as a delegate or alternate delegate to a national nominating
17 convention elected from the State at-large, then the
18 candidate's petition for nomination must contain at least 5,000
19 but not more than 10,000 signatures.

20 (b) Congressional office or congressional delegate to a
21 national nominating convention. If a candidate seeks to run for
22 United States Congress or as a congressional delegate or
23 alternate congressional delegate to a national nominating
24 convention elected from a congressional district, then the
25 candidate's petition for nomination must contain at least the

1 number of signatures equal to 0.5% of the qualified primary
2 electors of his or her party in his or her congressional
3 district. In the first primary election following a
4 redistricting of congressional districts, a candidate's
5 petition for nomination must contain at least 600 signatures of
6 qualified primary electors of the candidate's political party
7 in his or her congressional district.

8 (c) County office. If a candidate seeks to run for any
9 countywide office, including but not limited to county board
10 chairperson or county board member, elected on an at-large
11 basis, in a county other than Cook County, then the candidate's
12 petition for nomination must contain at least the number of
13 signatures equal to 0.5% of the qualified electors of his or
14 her party who cast votes at the last preceding general election
15 in his or her county. If a candidate seeks to run for county
16 board member elected from a county board district, then the
17 candidate's petition for nomination must contain at least the
18 number of signatures equal to 0.5% of the qualified primary
19 electors of his or her party in the county board district. In
20 the first primary election following a redistricting of county
21 board districts or the initial establishment of county board
22 districts, a candidate's petition for nomination must contain
23 at least the number of signatures equal to 0.5% of the
24 qualified electors of his or her party in the entire county who
25 cast votes at the last preceding general election divided by
26 the total number of county board districts comprising the

1 county board; provided that in no event shall the number of
2 signatures be less than 25.

3 (d) County office; Cook County only.

4 (1) If a candidate seeks to run for countywide office
5 in Cook County, then the candidate's petition for
6 nomination must contain at least the number of signatures
7 equal to 0.5% of the qualified electors of his or her party
8 who cast votes at the last preceding general election in
9 Cook County.

10 (2) If a candidate seeks to run for Cook County Board
11 Commissioner, then the candidate's petition for nomination
12 must contain at least the number of signatures equal to
13 0.5% of the qualified primary electors of his or her party
14 in his or her county board district. In the first primary
15 election following a redistricting of Cook County Board of
16 Commissioners districts, a candidate's petition for
17 nomination must contain at least the number of signatures
18 equal to 0.5% of the qualified electors of his or her party
19 in the entire county who cast votes at the last preceding
20 general election divided by the total number of county
21 board districts comprising the county board; provided that
22 in no event shall the number of signatures be less than 25.

23 (3) If a candidate seeks to run for Cook County Board
24 of Review Commissioner, which is elected from a district
25 pursuant to subsection (c) of Section 5-5 of the Property
26 Tax Code, then the candidate's petition for nomination must

1 contain at least the number of signatures equal to 0.5% of
2 the total number of registered voters in his or her board
3 of review district in the last general election at which a
4 commissioner was regularly scheduled to be elected from
5 that board of review district. In no event shall the number
6 of signatures required be greater than the requisite number
7 for a candidate who seeks countywide office in Cook County
8 under subsection (d)(1) of this Section. In the first
9 primary election following a redistricting of Cook County
10 Board of Review districts, a candidate's petition for
11 nomination must contain at least 4,000 signatures or at
12 least the number of signatures required for a countywide
13 candidate in Cook County, whichever is less, of the
14 qualified electors of his or her party in the district.

15 (e) Municipal or township office. If a candidate seeks to
16 run for municipal or township office, then the candidate's
17 petition for nomination must contain at least the number of
18 signatures equal to 0.5% of the qualified primary electors of
19 his or her party in the municipality or township. If a
20 candidate seeks to run for alderman of a municipality, then the
21 candidate's petition for nomination must contain at least the
22 number of signatures equal to 0.5% of the qualified primary
23 electors of his or her party of the ward. In the first primary
24 election following redistricting of aldermanic wards or
25 trustee districts of a municipality or the initial
26 establishment of wards or districts, a candidate's petition for

1 nomination must contain the number of signatures equal to at
2 least 0.5% of the total number of votes cast for the candidate
3 of that political party who received the highest number of
4 votes in the entire municipality at the last regular election
5 at which an officer was regularly scheduled to be elected from
6 the entire municipality, divided by the number of wards or
7 districts. In no event shall the number of signatures be less
8 than 25.

9 (f) State central committeeperson. If a candidate seeks to
10 run for State central committeeperson, then the candidate's
11 petition for nomination must contain at least 100 signatures of
12 the primary electors of his or her party of his or her
13 congressional district.

14 (g) Sanitary district trustee. If a candidate seeks to run
15 for trustee of a sanitary district in which trustees are not
16 elected from wards, then the candidate's petition for
17 nomination must contain at least the number of signatures equal
18 to 0.5% of the primary electors of his or her party from the
19 sanitary district. If a candidate seeks to run for trustee of a
20 sanitary district in which trustees are elected from wards,
21 then the candidate's petition for nomination must contain at
22 least the number of signatures equal to 0.5% of the primary
23 electors of his or her party in the ward of that sanitary
24 district. In the first primary election following
25 redistricting of sanitary districts elected from wards, a
26 candidate's petition for nomination must contain at least the

1 signatures of 150 qualified primary electors of his or her ward
2 of that sanitary district.

3 (h) Judicial office. If a candidate seeks to run for
4 judicial office in a district, then the candidate's petition
5 for nomination must contain the number of signatures equal to
6 0.4% of the number of votes cast in that district for the
7 candidate for his or her political party for the office of
8 Governor at the last general election at which a Governor was
9 elected, but in no event less than 500 signatures. If a
10 candidate seeks to run for judicial office in a circuit or
11 subcircuit, then the candidate's petition for nomination must
12 contain the number of signatures equal to 0.25% of the number
13 of votes cast for the judicial candidate of his or her
14 political party who received the highest number of votes at the
15 last general election at which a judicial officer from the same
16 circuit or subcircuit was regularly scheduled to be elected,
17 but in no event less than 500 signatures.

18 (i) Precinct, ward, and township committeeperson. If a
19 candidate seeks to run for precinct committeeperson, then the
20 candidate's petition for nomination must contain at least 10
21 signatures of the primary electors of his or her party for the
22 precinct. If a candidate seeks to run for ward committeeperson,
23 then the candidate's petition for nomination must contain no
24 less than the number of signatures equal to 10% of the primary
25 electors of his or her party of the ward, but no more than 16%
26 of those same electors; provided that the maximum number of

1 signatures may be 50 more than the minimum number, whichever is
2 greater. If a candidate seeks to run for township
3 committeeperson, then the candidate's petition for nomination
4 must contain no less than the number of signatures equal to 5%
5 of the primary electors of his or her party of the township,
6 but no more than 8% of those same electors; provided that the
7 maximum number of signatures may be 50 more than the minimum
8 number, whichever is greater.

9 (j) State's attorney or regional superintendent of schools
10 for multiple counties. If a candidate seeks to run for State's
11 attorney or regional Superintendent of Schools who serves more
12 than one county, then the candidate's petition for nomination
13 must contain at least the number of signatures equal to 0.5% of
14 the primary electors of his or her party in the territory
15 comprising the counties.

16 (k) Any other office. If a candidate seeks any other
17 office, then the candidate's petition for nomination must
18 contain at least the number of signatures equal to 0.5% of the
19 registered voters of the political subdivision, district, or
20 division for which the nomination is made or 25 signatures,
21 whichever is greater.

22 For purposes of this Section the number of primary electors
23 shall be determined by taking the total vote cast, in the
24 applicable district, for the candidate for that political party
25 who received the highest number of votes, statewide, at the
26 last general election in the State at which electors for

1 President of the United States were elected. For political
2 subdivisions, the number of primary electors shall be
3 determined by taking the total vote cast for the candidate for
4 that political party who received the highest number of votes
5 in the political subdivision at the last regular election at
6 which an officer was regularly scheduled to be elected from
7 that subdivision. For wards or districts of political
8 subdivisions, the number of primary electors shall be
9 determined by taking the total vote cast for the candidate for
10 that political party who received the highest number of votes
11 in the ward or district at the last regular election at which
12 an officer was regularly scheduled to be elected from that ward
13 or district.

14 A "qualified primary elector" of a party may not sign
15 petitions for or be a candidate in the primary of more than one
16 party.

17 The changes made to this Section of this amendatory Act of
18 the 93rd General Assembly are declarative of existing law,
19 except for item (3) of subsection (d).

20 Petitions of candidates for nomination for offices herein
21 specified, to be filed with the same officer, may contain the
22 names of 2 or more candidates of the same political party for
23 the same or different offices. In the case of the offices of
24 Governor and Lieutenant Governor, a joint petition including
25 one candidate for each of those offices must be filed.

26 Notwithstanding any other provision of law, a candidate may

1 choose, in lieu of filing a petition for nomination, to pay a
2 filing fee to the office of the State or local election
3 official charged with accepting nomination petitions for that
4 office. The filing fee shall be equal to 1% of the annual
5 salary of the office for which the candidate is seeking
6 nomination. If the candidate is seeking nomination for a
7 non-salaried office, then the filing fee shall be \$50.

8 (Source: P.A. 95-699, eff. 11-9-07; 95-916, eff. 8-26-08;
9 96-1018, eff. 1-1-11.)

10 (10 ILCS 5/7-12) (from Ch. 46, par. 7-12)

11 Sec. 7-12. All petitions for nomination shall be filed by
12 mail or in person as follows:

13 (1) Where the nomination is to be made for a State,
14 congressional, or judicial office, or for any office a
15 nomination for which is made for a territorial division or
16 district which comprises more than one county or is partly
17 in one county and partly in another county or counties,
18 then, except as otherwise provided in this Section, such
19 petition for nomination shall be filed in the principal
20 office of the State Board of Elections not more than 113
21 and not less than 106 days prior to the date of the
22 primary, but, in the case of petitions for nomination to
23 fill a vacancy by special election in the office of
24 representative in Congress from this State, such petition
25 for nomination shall be filed in the principal office of

1 the State Board of Elections not more than 57 days and not
2 less than 50 days prior to the date of the primary.

3 Where a vacancy occurs in the office of Supreme,
4 Appellate or Circuit Court Judge within the 3-week period
5 preceding the 106th day before a general primary election,
6 petitions for nomination for the office in which the
7 vacancy has occurred shall be filed in the principal office
8 of the State Board of Elections not more than 92 nor less
9 than 85 days prior to the date of the general primary
10 election.

11 Where the nomination is to be made for delegates or
12 alternate delegates to a national nominating convention,
13 then such petition for nomination shall be filed in the
14 principal office of the State Board of Elections not more
15 than 113 and not less than 106 days prior to the date of
16 the primary; provided, however, that if the rules or
17 policies of a national political party conflict with such
18 requirements for filing petitions for nomination for
19 delegates or alternate delegates to a national nominating
20 convention, the chairman of the State central committee of
21 such national political party shall notify the Board in
22 writing, citing by reference the rules or policies of the
23 national political party in conflict, and in such case the
24 Board shall direct such petitions to be filed not more than
25 83 and not less than 76 days prior to the date of the
26 primary.

1 (2) Where the nomination is to be made for a county
2 office or trustee of a sanitary district then such petition
3 shall be filed in the office of the county clerk not more
4 than 113 nor less than 106 days prior to the date of the
5 primary.

6 (3) Where the nomination is to be made for a municipal
7 or township office, such petitions for nomination shall be
8 filed in the office of the local election official, not
9 more than 99 nor less than 92 days prior to the date of the
10 primary; provided, where a municipality's or township's
11 boundaries are coextensive with or are entirely within the
12 jurisdiction of a municipal board of election
13 commissioners, the petitions shall be filed in the office
14 of such board; and provided, that petitions for the office
15 of multi-township assessor shall be filed with the election
16 authority.

17 (4) The petitions of candidates for State central
18 committeeman shall be filed in the principal office of the
19 State Board of Elections not more than 113 nor less than
20 106 days prior to the date of the primary.

21 (5) Petitions of candidates for precinct, township or
22 ward committeemen shall be filed or the fee described in
23 Section 7-10 shall be paid in the office of the county
24 clerk not more than 113 nor less than 106 days prior to the
25 date of the primary.

26 (6) The State Board of Elections and the various

1 election authorities and local election officials with
2 whom such petitions for nominations are filed shall specify
3 the place where filings shall be made and upon receipt
4 shall endorse thereon the day and hour on which each
5 petition was filed. All petitions filed by persons waiting
6 in line as of 8:00 a.m. on the first day for filing, or as
7 of the normal opening hour of the office involved on such
8 day, shall be deemed filed as of 8:00 a.m. or the normal
9 opening hour, as the case may be. Petitions filed by mail
10 and received after midnight of the first day for filing and
11 in the first mail delivery or pickup of that day shall be
12 deemed as filed as of 8:00 a.m. of that day or as of the
13 normal opening hour of such day, as the case may be. All
14 petitions received thereafter shall be deemed as filed in
15 the order of actual receipt. Where 2 or more petitions are
16 received simultaneously, the State Board of Elections or
17 the various election authorities or local election
18 officials with whom such petitions are filed shall break
19 ties and determine the order of filing, by means of a
20 lottery or other fair and impartial method of random
21 selection approved by the State Board of Elections. Such
22 lottery shall be conducted within 9 days following the last
23 day for petition filing and shall be open to the public.
24 Seven days written notice of the time and place of
25 conducting such random selection shall be given by the
26 State Board of Elections to the chairman of the State

1 central committee of each established political party, and
2 by each election authority or local election official, to
3 the County Chairman of each established political party,
4 and to each organization of citizens within the election
5 jurisdiction which was entitled, under this Article, at the
6 next preceding election, to have pollwatchers present on
7 the day of election. The State Board of Elections, election
8 authority or local election official shall post in a
9 conspicuous, open and public place, at the entrance of the
10 office, notice of the time and place of such lottery. The
11 State Board of Elections shall adopt rules and regulations
12 governing the procedures for the conduct of such lottery.
13 All candidates shall be certified in the order in which
14 their petitions have been filed. Where candidates have
15 filed simultaneously, they shall be certified in the order
16 determined by lot and prior to candidates who filed for the
17 same office at a later time.

18 (7) The State Board of Elections or the appropriate
19 election authority or local election official with whom
20 such a petition for nomination is filed shall notify the
21 person for whom a petition for nomination has been filed or
22 a nomination fee described in Section 7-10 has been paid of
23 the obligation to file statements of organization, reports
24 of campaign contributions, and annual reports of campaign
25 contributions and expenditures under Article 9 of this Act.
26 Such notice shall be given in the manner prescribed by

1 paragraph (7) of Section 9-16 of this Code.

2 (8) Nomination papers filed under this Section are not
3 valid if the candidate named therein fails to file a
4 statement of economic interests as required by the Illinois
5 Governmental Ethics Act in relation to his candidacy with
6 the appropriate officer by the end of the period for the
7 filing of nomination papers unless he has filed a statement
8 of economic interests in relation to the same governmental
9 unit with that officer within a year preceding the date on
10 which such nomination papers were filed. If the nomination
11 papers of any candidate and the statement of economic
12 interest of that candidate are not required to be filed
13 with the same officer, the candidate must file with the
14 officer with whom the nomination papers are filed a receipt
15 from the officer with whom the statement of economic
16 interests is filed showing the date on which such statement
17 was filed. Such receipt shall be so filed not later than
18 the last day on which nomination papers may be filed.

19 (9) Any person for whom a petition for nomination, or
20 for committeeman or for delegate or alternate delegate to a
21 national nominating convention has been filed may cause his
22 name to be withdrawn by request in writing, signed by him
23 and duly acknowledged before an officer qualified to take
24 acknowledgments of deeds, and filed in the principal or
25 permanent branch office of the State Board of Elections or
26 with the appropriate election authority or local election

1 official, not later than the date of certification of
2 candidates for the consolidated primary or general primary
3 ballot. No names so withdrawn shall be certified or printed
4 on the primary ballot. If petitions for nomination have
5 been filed for the same person with respect to more than
6 one political party, his name shall not be certified nor
7 printed on the primary ballot of any party. If petitions
8 for nomination have been filed for the same person for 2 or
9 more offices which are incompatible so that the same person
10 could not serve in more than one of such offices if
11 elected, that person must withdraw as a candidate for all
12 but one of such offices within the 5 business days
13 following the last day for petition filing. If he fails to
14 withdraw as a candidate for all but one of such offices
15 within such time his name shall not be certified, nor
16 printed on the primary ballot, for any office. For the
17 purpose of the foregoing provisions, an office in a
18 political party is not incompatible with any other office.

19 (10)(a) Notwithstanding the provisions of any other
20 statute, no primary shall be held for an established
21 political party in any township, municipality, or ward
22 thereof, where the nomination of such party for every
23 office to be voted upon by the electors of such township,
24 municipality, or ward thereof, is uncontested. Whenever a
25 political party's nomination of candidates is uncontested
26 as to one or more, but not all, of the offices to be voted

1 upon by the electors of a township, municipality, or ward
2 thereof, then a primary shall be held for that party in
3 such township, municipality, or ward thereof; provided
4 that the primary ballot shall not include those offices
5 within such township, municipality, or ward thereof, for
6 which the nomination is uncontested. For purposes of this
7 Article, the nomination of an established political party
8 of a candidate for election to an office shall be deemed to
9 be uncontested where not more than the number of persons to
10 be nominated have timely filed valid nomination papers
11 seeking the nomination of such party for election to such
12 office.

13 (b) Notwithstanding the provisions of any other
14 statute, no primary election shall be held for an
15 established political party for any special primary
16 election called for the purpose of filling a vacancy in the
17 office of representative in the United States Congress
18 where the nomination of such political party for said
19 office is uncontested. For the purposes of this Article,
20 the nomination of an established political party of a
21 candidate for election to said office shall be deemed to be
22 uncontested where not more than the number of persons to be
23 nominated have timely filed valid nomination papers
24 seeking the nomination of such established party for
25 election to said office. This subsection (b) shall not
26 apply if such primary election is conducted on a regularly

1 scheduled election day.

2 (c) Notwithstanding the provisions in subparagraph (a)
3 and (b) of this paragraph (10), whenever a person who has
4 not timely filed valid nomination papers and who intends to
5 become a write-in candidate for a political party's
6 nomination for any office for which the nomination is
7 uncontested files a written statement or notice of that
8 intent with the State Board of Elections or the local
9 election official with whom nomination papers for such
10 office are filed, a primary ballot shall be prepared and a
11 primary shall be held for that office. Such statement or
12 notice shall be filed on or before the date established in
13 this Article for certifying candidates for the primary
14 ballot. Such statement or notice shall contain (i) the name
15 and address of the person intending to become a write-in
16 candidate, (ii) a statement that the person is a qualified
17 primary elector of the political party from whom the
18 nomination is sought, (iii) a statement that the person
19 intends to become a write-in candidate for the party's
20 nomination, and (iv) the office the person is seeking as a
21 write-in candidate. An election authority shall have no
22 duty to conduct a primary and prepare a primary ballot for
23 any office for which the nomination is uncontested unless a
24 statement or notice meeting the requirements of this
25 Section is filed in a timely manner.

26 (11) If multiple sets of nomination papers are filed

1 for a candidate to the same office, the State Board of
2 Elections, appropriate election authority or local
3 election official where the petitions are filed shall
4 within 2 business days notify the candidate of his or her
5 multiple petition filings and that the candidate has 3
6 business days after receipt of the notice to notify the
7 State Board of Elections, appropriate election authority
8 or local election official that he or she may cancel prior
9 sets of petitions. If the candidate notifies the State
10 Board of Elections, appropriate election authority or
11 local election official, the last set of petitions filed
12 shall be the only petitions to be considered valid by the
13 State Board of Elections, election authority or local
14 election official. If the candidate fails to notify the
15 State Board of Elections, election authority or local
16 election official then only the first set of petitions
17 filed shall be valid and all subsequent petitions shall be
18 void.

19 (12) All nominating petitions shall be available for
20 public inspection and shall be preserved for a period of
21 not less than 6 months.

22 (Source: P.A. 96-1008, eff. 7-6-10.)

23 (10 ILCS 5/10-4) (from Ch. 46, par. 10-4)

24 Sec. 10-4. Form of petition for nomination. All petitions
25 for nomination under this Article 10 for candidates for public

1 office in this State, shall in addition to other requirements
2 provided by law, be as follows: Such petitions shall consist of
3 sheets of uniform size and each sheet shall contain, above the
4 space for signature, an appropriate heading, giving the
5 information as to name of candidate or candidates in whose
6 behalf such petition is signed; the office; the party; place of
7 residence; and such other information or wording as required to
8 make same valid, and the heading of each sheet shall be the
9 same. Such petition shall be signed by the qualified voters in
10 their own proper persons only, and opposite the signature of
11 each signer his residence address shall be written or printed.
12 The residence address required to be written or printed
13 opposite each qualified primary elector's name shall include
14 the street address or rural route number of the signer, as the
15 case may be, as well as the signer's county, and city, village
16 or town, and state. However, the county or city, village or
17 town, and state of residence of such electors may be printed on
18 the petition forms where all of the such electors signing the
19 petition reside in the same county or city, village or town,
20 and state. Standard abbreviations may be used in writing the
21 residence address, including street number, if any. No
22 signature shall be valid or be counted in considering the
23 validity or sufficiency of such petition unless the
24 requirements of this Section are complied with. At the bottom
25 of each sheet of such petition shall be added a circulator's
26 statement, signed by a person 18 years of age or older who is a

1 citizen of the United States; stating the street address or
2 rural route number, as the case may be, as well as the county,
3 city, village or town, and state; certifying that the
4 signatures on that sheet of the petition were signed in his or
5 her presence; certifying that the signatures are genuine; and
6 either (1) indicating the dates on which that sheet was
7 circulated, or (2) indicating the first and last dates on which
8 the sheet was circulated, or (3) certifying that none of the
9 signatures on the sheet were signed more than 90 days preceding
10 the last day for the filing of the petition; and certifying
11 that to the best of his knowledge and belief the persons so
12 signing were at the time of signing the petition duly
13 registered voters under Articles 4, 5 or 6 of the Code of the
14 political subdivision or district for which the candidate or
15 candidates shall be nominated, and certifying that their
16 respective residences are correctly stated therein. Such
17 statement shall be sworn to before some officer authorized to
18 administer oaths in this State. No petition sheet shall be
19 circulated more than 90 days preceding the last day provided in
20 Section 10-6 for the filing of such petition. Such sheets,
21 before being presented to the electoral board or filed with the
22 proper officer of the electoral district or division of the
23 state or municipality, as the case may be, shall be neatly
24 fastened together in book form, by placing the sheets in a pile
25 and fastening them together at one edge in a secure and
26 suitable manner, and the sheets shall then be numbered

1 consecutively. The sheets shall not be fastened by pasting them
2 together end to end, so as to form a continuous strip or roll.
3 All petition sheets which are filed with the proper local
4 election officials, election authorities or the State Board of
5 Elections shall be the original sheets which have been signed
6 by the voters and by the circulator, and not photocopies or
7 duplicates of such sheets. A petition, when presented or filed,
8 shall not be withdrawn, altered, or added to, and no signature
9 shall be revoked except by revocation in writing presented or
10 filed with the officers or officer with whom the petition is
11 required to be presented or filed, and before the presentment
12 or filing of such petition. Whoever forges any name of a signer
13 upon any petition shall be deemed guilty of a forgery, and on
14 conviction thereof, shall be punished accordingly. The word
15 "petition" or "petition for nomination", as used herein, shall
16 mean what is sometimes known as nomination papers, in
17 distinction to what is known as a certificate of nomination.
18 The words "political division for which the candidate is
19 nominated", or its equivalent, shall mean the largest political
20 division in which all qualified voters may vote upon such
21 candidate or candidates, as the state in the case of state
22 officers; the township in the case of township officers et
23 cetera. Provided, further, that no person shall circulate or
24 certify petitions for candidates of more than one political
25 party, or for an independent candidate or candidates in
26 addition to one political party, to be voted upon at the next

1 primary or general election, or for such candidates and parties
2 with respect to the same political subdivision at the next
3 consolidated election.

4 Notwithstanding any other provision of law, a candidate may
5 choose, in lieu of filing a petition for nomination, to pay a
6 filing fee to the office of the State or local election
7 official charged with accepting nomination petitions for that
8 office. The filing fee shall be equal to 1% of the annual
9 salary of the office for which the candidate is seeking
10 nomination. If the candidate is seeking nomination for a
11 non-salaried office, then the filing fee shall be \$50.

12 (Source: P.A. 91-57, eff. 6-30-99; 92-129, eff. 7-20-01.)

13 (10 ILCS 5/10-6.1) (from Ch. 46, par. 10-6.1)

14 Sec. 10-6.1. The board or clerk with whom a certificate of
15 nomination or nomination papers are filed shall notify the
16 person for whom such papers are filed or for whom a nomination
17 fee described in Section 10-4 is paid of the obligation to file
18 statements of organization, reports of campaign contributions,
19 and annual reports of campaign contributions and expenditures
20 under Article 9 of this Act. Such notice shall be given in the
21 manner prescribed by paragraph (7) of Section 9-16 of this
22 Code.

23 (Source: P.A. 81-1189.)